



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Adnan M. M. Mjalli et al.  
Serial No. : 10/091,609  
Filing Date : March 5, 2002  
For : BENZIMIDAZOLE DERIVATIVES AS  
THERAPEUTIC AGENTS  
Examiner : Unassigned  
Art Unit : 1626

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Election and Response**

This Response is being submitted in response to the Office Action mailed April 15, 2003.

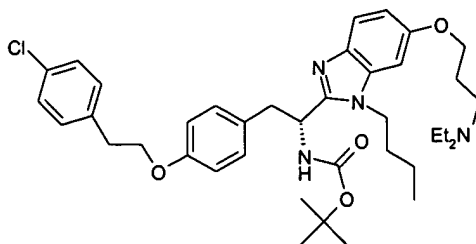
Claims 1-38 are pending in the present application. Applicants are required to elect one of the following inventions for further prosecution on the merits:

- I. Claims 1-24, drawn to products; and
- II. Claims 25-38, drawn to methods of use.

Applicants are also required to elect a single disclosed species for examination and to list claims readable thereon.

Applicants hereby elect, with traverse, Group I - Claims 1-24, drawn to products, for further prosecution on the merits.

Further, Applicants hereby elect the species 2-[(1R)-2-(4-(4-Chloro)phenethoxy)phenyl)-1-(tert-butoxycarbonylamino)-1-ethyl]-3-butyl-5-(3-diethylamino-1-propoxy)benzimidazole for prosecution on the merits in the present application. This species is the compound described in Example 9. The structure of the elected species is shown below:



Claims 1, 2, and 11 read on the elected species.

Applicants traverse on the grounds that searching each group would not be unduly burdensome.

Respectfully submitted,

Date: May 6, 2003

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